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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/596,248	10/26/2006	Heiko Schonhorst	KAR0105PCTUS	4203
62124 7590 12/14/2007 QUINN LAW GROUP, PLLC 39555 ORCHARD HILL PLACE SUITE # 520 NOVI, MI 48375			EXAMINER CHENEVERT, PAUL A	
			ART UNIT 3612	PAPER NUMBER
			MAIL DATE 12/14/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Information Disclosure Statement***

2. The references cited in the Search Report filed 06JUN06 have been considered, but will not be listed on any patent resulting from this application because they were not provided on a separate list in compliance with 37 CFR 1.98(a)(1). In order to have the references printed on such resulting patent, a separate listing, preferably on a PTO/SB/08A and 08B form, must be filed within the set period for reply to this Office action.

### ***Claim Objections***

3. Claim 8 is objected to because of the following informalities: "one of the" on line 1 should be deleted (see the other proper amendments to the other claims in this regard) and "of roof" on line 3 should be changed to "of the roof". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
6. Regarding claim 3, the phrase “so-called” renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-3 & 6-9 are rejected under 35 U.S.C. 102(b) as being anticipate by Vetter (US 1,298,836; 01APR19).

Vetter discloses a convertible vehicle with a moving roof having a flexible cover (top cover 3), in which the cover is engaged underneath by two straps (padding strips 4), following essentially the course of the roof when the roof is closed, which is secured on support structure (front and rear frame bows 1, 2) arranged across the roof, characterized in that an end (beaded end 12) of the straps passes through a slit recess (10) of the support structure and is secured against pulling out from the slit recess by an end thickening on the straps. In regards to claim 2, the end thickening is formed by a loop of the strap stitched around and enclosing a piping. In regards to claim 3, the slit recess is arranged in a front transverse support (1) of the roof support

structure. In regards to claim 6, a strap is assigned to each side of the vehicle (see column 1, line 52). In regards to claim 7, the straps (9) are free of holes. In regards to claim 8, the front and rear strap ends are fastened the same way to different support structure of the roof. In regards to claim 9, the roof is a moving roof for a convertible vehicle.

***Allowable Subject Matter***

9. Claims 4 & 5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. The following is a statement of reasons for the indication of allowable subject matter: the prior art does not show or make obvious Applicant's widening.

***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul A. Chenevert whose telephone number is 571-272-6657. The examiner can normally be reached on Mon-Fri (8:30-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn D. Dayoan can be reached on 571-272-6659. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number:  
10/596,248  
Art Unit: 3612

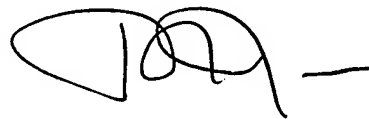
Page 5

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Paul A. Chenevert  
Examiner  
Art Unit 3612

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D. GLENN DAYOAN  
SUPERVISORY PATENT EXAMINER  
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12/13/07